

1 so there could be better reception?

2 A He moved an antenna, but I didn't know it was for  
3 Jennifer's car.

4 Q The instructions on this page, this fax page from  
5 Ronald -- excuse me. Let me refer your attention back to  
6 that fax page. Do you have that in front of you?

7 A Yes.

8 Q Did you understand that to be from Ronald  
9 Brasher?

10 A It says from Ron.

11 Q And my point is, did you understand that to be  
12 from Ronald Brasher?

13 A Yes.

14 Q And it says on there, "Sign letter above your  
15 name. Sign like second page, copy, as signed, call me." Do  
16 you see that, ma'am?

17 A Yes.

18 Q Did I read that correctly?

19 A Yes.

20 Q And then there is a page following that faxed  
21 cover sheet? There appears to be a letter dated March 18 of  
22 1993, do you see that, ma'am?

23 A Yes.

24 Q And is that your signature above the name Norma  
25 L. Sumpter?

1 A Yes.

2 Q Do you recall signing that, after receiving this  
3 fax from Ronald Brasher on March 24, 1993?

4 A Yes.

5 Q And he asked you to sign it like the page  
6 thereafter. Do you see the next page, ma'am?

7 A Yes.

8 Q And did you recall getting that signature from  
9 Ronald Brasher on that, that page that has the clipped-off  
10 portion of an application?

11 A Yes.

12 Q You got that page from Ronald Brasher attached to  
13 that fax?

14 A Yes.

15 Q Ma'am, I would ask you to compare that page --

16 MR. ROMNEY: I am sorry, Your Honor. I am going  
17 to have to -- this record is going to be really unclear if I  
18 do not mark the pages on this with the numbers.

19 JUDGE STEINBERG: It is page 10 of Exhibit 9, of  
20 RB/PB Exhibit 9.

21 MR. ROMNEY: Thank you.

22 JUDGE STEINBERG: And everybody can put numbers  
23 on their own pages. But it is page 10, the one with the  
24 clipped-off bottom part of an application.

25 And the witness has the right page in front of

1 her, of Exhibit 9.

2 (Pause.)

3 BY MR. ROMNEY:

4 Q Now, ma'am, page 10 of Exhibit RB/PB Number 9, is  
5 that your signature?

6 A No.

7 Q That is not your signature?

8 A No.

9 Q Would you compare page 10 of Exhibit Number 9 to  
10 page six of Exhibit Number 43?

11 A Yes.

12 Q Do those appear to be copies of the same?

13 A They appear to be the same.

14 Q Now, you knew the first time you saw Exhibit, or  
15 the tenth page of Exhibit Number 9, RB/PB Number 9, that  
16 that was not your signature, right?

17 A On page 10?

18 Q Yes, ma'am.

19 A No, I didn't recognize it as not being mine.

20 Q How could you not recognize it as not being your  
21 signature, ma'am?

22 A I didn't pay attention to it.

23 Q Well, now, were you not at the least bit curious  
24 when Ronald Brasher sends you a document that purports to  
25 have your signature, and asks you to sign another document

1 just like it? Aren't you just a little bit curious about  
2 whether or not that is your signature?

3 A No, I wasn't.

4 Q It did not matter to you one way or the other  
5 that he had a document that purported to have your signature  
6 on it?

7 A Not that it didn't matter, I just didn't pay  
8 attention to it. When he faxed it over, I didn't pay that  
9 close attention to it.

10 Q Well, now, your testimony would have to be in  
11 response to one of my earlier questions, ma'am, where you  
12 said that you had not received -- excuse me, you had never  
13 seen the signature on page six of Exhibit Number 43 until  
14 the deposition. Actually, you saw --

15 A Yes.

16 Q -- your signature back in 1993, right?

17 A Yes, I had.

18 JUDGE STEINBERG: I think the question might have  
19 been not did you see the signature on page six, but did you  
20 see page six.

21 MR. ROMNEY: No, sir.

22 JUDGE STEINBERG: But, you know, if that is -- I  
23 just want to point out, but if you asked the question that  
24 you said you asked, then it will be requested on the record.  
25 But I do not know that that comports with my memory. But my

1 memory is sometimes wrong.

2 I just, you might want to -- I do not know.

3 BY MR. ROMNEY:

4 Q You said, you understood when I asked you  
5 previously, ma'am, that you had never seen your signature on  
6 page six of Exhibit Number 43 before your deposition,  
7 correct?

8 A That's correct.

9 Q Yes. And now your testimony would have to be  
10 modified, because in fact you did see that signature back in  
11 March of 1993, correct?

12 A Yes.

13 Q At the time, in March of 1993, when you received  
14 page 10 of Exhibit Number RB/PB 9, you did not recognize  
15 that as not being your signature?

16 MS. LANCASTER: Objection, Your Honor. Asked and  
17 answered. She has already answered that.

18 JUDGE STEINBERG: This is the last time you will  
19 ask, okay?

20 MR. ROMNEY: Sure.

21 THE WITNESS: I did not recognize that as not  
22 being my signature. I didn't pay attention to it.

23 BY MR. ROMNEY:

24 Q RB/PB 9 at page 12, you sent back the letter that  
25 you signed on page nine, you sent that back to Ron Brasher?

1           A     Yes.

2           Q     And that was the cover page for it?

3           A     That was the cover page.

4           Q     And you said on there that you signed letter?

5           A     That's what I said.

6           Q     Did you read that before you signed it?

7           A     Well, I -- yes. He just told me that they were

8 moving our, an antenna.

9           Q     Did you have an understanding at that time,

10 ma'am, that that was an antenna for a station which was

11 licensed in your name?

12          A     Well, I assumed it was, since he was having me

13 sign the paper.

14          Q     And you were okay with that.

15          A     Well, I just assumed it was mine.

16          Q     Did you receive anything in the mail? Referring

17 you back now to page six of Exhibit 43, do you recall

18 receiving anything in the mail from FCC or from NABER

19 pertaining to that application?

20          A     I could have received it in the mail, but I don't

21 remember. Like I said, that stuff I did not open, so I

22 don't know --

23          Q     The cards --

24          A     -- what I received.

25          Q     I am sorry, go ahead. Did you need to finish

1 your answer?

2 A No, that's it.

3 Q The cards are something that you have to open,  
4 are they?

5 A I don't think so.

6 Q Okay.

7 MR. ROMNEY: Request permission to approach, Your  
8 Honor.

9 JUDGE STEINBERG: Granted.

10 MR. ROMNEY: Your Honor, I would ask the Court to  
11 mark those for identification, or receive those for  
12 identification as RB/PB 10 and RB/PB 11.

13 JUDGE STEINBERG: Okay, RB/PB 10 is a yellow  
14 card, a little bigger than a normal postcard size. We will  
15 call it yellow card. Addressed to Mrs. Sumpter. And I will  
16 call it two pages, because it has got a front and a back.  
17 And that will be RB/PB Exhibit Number 10.

18 (The document referred to was  
19 marked for identification as  
20 RB/PB Exhibit No. 10.)

21 JUDGE STEINBERG: And RB/PB Exhibit Number 1 will  
22 be a blue card addressed to Mrs. Sumpter.

23 MS. LANCASTER: Blue, Your Honor?

24 JUDGE STEINBERG: Green. Okay, just seeing if  
25 everybody is paying attention. Have to erase blue from my

1 little list and substitute green. Green card addressed to  
2 Mrs. Sumpter. And that one has got a front and a back, so  
3 we will call that two pages. And that will be identified as  
4 RB/PB Exhibit 11.

5 (The document referred to was  
6 marked for identification as  
7 RB/PB Exhibit No. 11.)

8 BY MR. ROMNEY:

9 Q Mrs. Sumpter, I would ask you to take a look at  
10 what has been marked for identification as RB/PB Exhibit  
11 Number 10, which is the yellow card. Do you recall  
12 receiving that document, ma'am?

13 A I don't recall it.

14 Q Do you recall receiving in the mail at your house  
15 any kind of a yellow card from something called NABER?

16 A I'm sure I've received yellow cards.

17 Q Do you recall receiving that document at your  
18 home pertaining to page six of Exhibit Number 43, the  
19 application that was filed to move the tower to Fort Worth?

20 A Ask that again?

21 Q Do you recall that that document was received at  
22 your house with regards to page six of Exhibit Number 43?

23 A The yellow card?

24 Q Yes, ma'am.

25 A I assume it was.



1 MR. ROMNEY: Your Honor, I move the admission of  
2 Exhibit RB/PB Number 10.

3 JUDGE STEINBERG: Any objections?

4 MS. LANCASTER: No objections, Your Honor.

5 JUDGE STEINBERG: RB/PB Exhibit 10 is received.

6 (The document referred to,  
7 having been previously marked  
8 for identification as  
9 RB/PB Exhibit No. 10, was  
10 received in evidence.)

11 BY MR. ROMNEY:

12 Q I would ask you to take in your hand Exhibit  
13 Number RB/PB Number 11 for identification, ma'am. Do you  
14 recognize that card?

15 A I have seen green cards.

16 Q Do you recall receiving a green card at your  
17 house with regard to the page six of Exhibit Number 43?

18 A I don't recall it, but I assume I got it.

19 MR. ROMNEY: I move the admission of RB/PB Number  
20 11, Your Honor.

21 MS. LANCASTER: No objections, Your Honor.

22 JUDGE STEINBERG: Exhibit 11 is received.

23 (The document referred to,  
24 having been previously marked  
25 for identification as

1 RB/PB Exhibit No. 11, was  
2 received in evidence.)

3 JUDGE STEINBERG: And you have got permission to  
4 withdraw these and make copies for everybody and the  
5 reporter. We will call page one the address side, and page  
6 two whatever is on the back.

7 MS. LANCASTER: Your Honor, may I request that if  
8 he is going to withdraw them, that I be allowed to go make  
9 copies on a color copier? So that we have absolutely  
10 correct copies?

11 JUDGE STEINBERG: Sure, do whatever --

12 MR. ROMNEY: Does not matter to me.

13 JUDGE STEINBERG: I am sure Mr. Romney will be  
14 happy to let you make your copies.

15 MR. ROMNEY: Particular color copies, wow.

16 JUDGE STEINBERG: So would Mr. Higgs.

17 BY MR. ROMNEY:

18 Q Mrs. Sumpter, would you take before you page  
19 seven now of Exhibit 43? And would you please compare that  
20 to page nine of Exhibit RB/PB Number 9?

21 JUDGE STEINBERG: Let me get you the -- what did  
22 you say, page nine?

23 MR. ROMNEY: Yes, sir.

24 JUDGE STEINBERG: Okay, because Mrs. Sumpter's  
25 copies are not numbered. So if there is no objection, I

1 will get her to the correct page. Which she just happened  
2 to open.

3 MS. LANCASTER: One more time. What page of  
4 RB/PB Number 9?

5 MR. ROMNEY: Number 9, the letter.

6 MS. LANCASTER: Okay.

7 BY MR. ROMNEY:

8 Q Do you recognize, ma'am, page nine of Exhibit,  
9 RB/PB Exhibit 9 as being a copy of page seven of Exhibit  
10 Number 43?

11 A Yes.

12 Q Now, there is missing a zero-nine that is in  
13 handwriting on page seven of Exhibit Number 43, is that  
14 correct?

15 A Yes.

16 Q Thank you. Now, that application on page six of  
17 Exhibit Number 43, you do not have any memory of that, do  
18 you?

19 A No.

20 Q You do not remember signing it --

21 A I did not --

22 Q -- but do you have any memory of any of the --

23 A I did not sign that.

24 Q But you received a letter from Mr. Brasher about  
25 it, correct?

1 A Yes.

2 Q You signed a letter to someone at the FCC about  
3 that particular document, is that correct?

4 A Yes.

5 Q And yet you just do not remember that document at  
6 all, or that application at all, do you?

7 A No, because I didn't sign it.

8 Q Did you remember at the time of your deposition  
9 all of this correspondence about that particular  
10 application?

11 A Yes, I did.

12 Q Did you remember before I put it in front of you?

13 A Yes, I did.

14 Q You remembered it because Mr. McVeigh showed you  
15 that information?

16 A No, I gave it to Mr. McVeigh.

17 Q You had that at home all the time?

18 A I had it at home. That's the only thing I had a  
19 copy of. That's because it was a fax.

20 Q When was it that you determined that this  
21 supposed signature of yours on page six of Exhibit 43, when  
22 did you finally determine that was not your signature?

23 A Well, when I, when we did the depositions I told  
24 you it wasn't my signature.

25 Q Not until then?

1           A     No, I talked to Mr. Arsenault and told him that I  
2     didn't believe this signature was mine on this fax. That I  
3     hadn't realized that until the day I was talking to him.

4           JUDGE STEINBERG: Let me --

5           MS. LANCASTER: For the record --

6           THE WITNESS: I don't know when that was.

7           MS. LANCASTER: For the record, do we need to put  
8     in the record who Mr. Arsenault is?

9           JUDGE STEINBERG: Okay. I just wanted to tell  
10    Mrs. Sumpter, do not answer a question by telling us  
11    anything you told Mr. McVeigh.

12          THE WITNESS: Oh.

13          JUDGE STEINBERG: Okay?

14          THE WITNESS: Okay. I told that to  
15    Mr. Arsenault.

16          JUDGE STEINBERG: Right. But I do not want you  
17    to tell us what you told Mr. McVeigh without you talking to  
18    Mr. McVeigh first.

19          THE WITNESS: I'm just trying to be truthful.

20          MR. ROMNEY: Are we all clear?

21          JUDGE STEINBERG: Yes, sir. Thanks.

22          BY MR. ROMNEY:

23          Q     So you determined that that signature on page six  
24    of Exhibit Number 43 was not yours, in reviewing documents  
25    in preparation for deposition? Or what was it that

1 triggered your recall of that, ma'am, do you remember?

2 A Well, they asked me if I had any correspondence  
3 or anything. I said the only thing I had was the fax.

4 Q You say "they" asked you. You are talking about  
5 Mr. Arsenault?

6 A Yes.

7 Q And he is someone with the FCC?

8 A Yes.

9 Q And you sent this fax to him?

10 A Yes.

11 Q And that is this letter that we have here as  
12 Exhibit RB/PB Exhibit Number 9? This package of documents?

13 A Nine?

14 Q Yes, this document that you have in front of you.  
15 The whole package there?

16 A Uh, yes. Yes.

17 Q I direct your attention to Exhibit Number 44,  
18 ma'am. Page five, please, of Number 44. Do you have that  
19 in front of you, ma'am?

20 A Yes.

21 Q That appears to be another sort of a license to  
22 the FCC, is that correct?

23 A That's correct.

24 Q Is that your signature?

25 A No.

1 Q How do you know that is not your signature?

2 A It's just not mine.

3 Q What is it that makes you believe it is not  
4 yours?

5 A I can look at it and tell it's not mine.

6 Q Well, would you please be more specific, if you  
7 can, about what in this signature does not appear to be  
8 yours?

9 A The S, the L. It's just not the way I write.

10 Q When is the first time you saw this particular  
11 document, ma'am? Page five of Exhibit Number 44.

12 A I think when we did the deposition.

13 Q Did you receive anything at your home, at  
14 4406 Harbinger, Mesquite, Texas, pertaining to page five of  
15 Exhibit 44?

16 A Yes.

17 Q What did you receive at your home, ma'am?

18 A I received applications for a license.

19 Q An application?

20 A Or just this.

21 JUDGE STEINBERG: Okay. The witness is referring  
22 to --

23 MR. ROMNEY: Page four?

24 JUDGE STEINBERG: -- page four of Exhibit 44. Is  
25 that correct, Mrs. Sumpter?

1 THE WITNESS: That's correct.

2 BY MR. ROMNEY:

3 Q You received that at your home?

4 A Yes.

5 Q Did you also receive at your home page two of  
6 Exhibit 44?

7 A I don't know.

8 Q Is that your signature on page two of Exhibit 44?

9 A No.

10 Q How do you know?

11 A I know it's not.

12 Q Well, how do you know, ma'am?

13 A I just know it's not my signature. I can  
14 recognize it.

15 Q Please be more specific and tell the Court what  
16 about that signature makes you believe it is not yours.

17 A Well, it's the R, the way the R is made in Norma.  
18 And the R at the end of Sumpter. I don't write that way.  
19 And that's not my P.

20 Q Do you recall receiving a blank copy of Exhibit  
21 Number 2, page two of Exhibit 44, at your home?

22 A No, I don't recall it.

23 Q Before the depositions in this case, had you ever  
24 seen page two of Exhibit 44?

25 A No.



1 Q Did you ever get page three at your home, of  
2 Exhibit 44?

3 A I don't have any idea. I don't know.

4 Q If you had gotten it, would you have passed it on  
5 to Ron?

6 A If I'd have gotten it, I'd have passed it on to  
7 him.

8 Q So you cannot tell one way or the other?

9 A No.

10 Q Whether you got it at your house?

11 A NO.

12 Q Page four of Exhibit 44.

13 A Yes.

14 Q You do recall getting that one, right?

15 A Yes.

16 Q And when did you get it, do you remember?

17 A I don't have any idea.

18 Q And whose handwriting is that, on top of your  
19 signature?

20 A It's Jim's.

21 Q Jim Sumpter's?

22 A Yes.

23 Q I will refer you to page two of Exhibit 45, the  
24 third, the fourth full paragraph from the top. It starts,  
25 "Some time in the spring of '98."

1 A Yes.

2 Q Do you see that, ma'am?

3 A Yes.

4 Q Do you see the sentence that says, "As I  
5 understood that Ronald had taken the necessary steps to  
6 remove my name from any FCC license in my name, I mailed it  
7 back to the FCC with my handwritten statement, 'I no longer  
8 hold this license, it was transferred to R. D. Brasher,'  
9 signed Norma L. Sumpster." Do you see that?

10 A Yes, I see it.

11 Q Well, in this letter to the, in this declaration  
12 to the FCC, Exhibit 45 which you swore under oath, you  
13 stated that was your handwritten statement. Do you recall  
14 that?

15 A Well, I misunderstood. I mean, I -- I didn't  
16 mean it that way.

17 Q Well, it is pretty clear this second page of  
18 Exhibit 45, your declaration, states that was your  
19 handwriting. And now today you are stating that that is  
20 Jim's handwriting, is that right?

21 MS. LANCASTER: Objection, Your Honor.

22 MR. McVEIGH: Objection, Your Honor, misstates.

23 MS. LANCASTER: That is not what page two of  
24 Exhibit 45 states.

25 MR. ROMNEY: That that was --

1 MS. LANCASTER: Because her handwriting does  
2 not -- Mr. Romney just misstated.

3 MR. ROMNEY: How so? Excuse me, Your Honor.

4 JUDGE STEINBERG: Why don't you just ask your  
5 question again?

6 MR. ROMNEY: I will be happy to ask that question  
7 again, Your Honor.

8 BY MR. ROMNEY:

9 Q Mrs. Sumpter, on page two of Exhibit 45, you  
10 attribute the handwriting on page four of Exhibit 44 to  
11 yourself, is that correct?

12 A That's what I said.

13 Q And yet today in testimony you are saying that is  
14 Jim's handwriting, right?

15 A That's correct.

16 Q Thank you. There is no doubt that page four of  
17 Exhibit Number 44 bears your signature, does it?

18 A That's my signature.

19 (Pause.)

20 Q Page one of Exhibit 44. Do you recall receiving  
21 that at your home?

22 A No.

23 Q If it did, you would not have opened it anyway,  
24 right?

25 A That's correct.

1 Q Exhibit Number 41, please. Mrs. Sumpter, do you  
2 recall Ron and Pat Brasher coming to your husband's office  
3 on or about the 18th of June, 1996, and asking you to sign a  
4 radio license application?

5 A No.

6 Q Do you recall signing that application in their  
7 presence?

8 A No.

9 Q Do you recall taking those applications and  
10 showing them to your husband?

11 A No.

12 Q Do you recall having a discussion with your  
13 husband about signing a radio application?

14 A No.

15 Q Do you deny that Ron and Pat Brasher were at your  
16 husband's office on the 18th of June, 1996?

17 A They weren't there.

18 Q How do you know that, ma'am?

19 A I just know they weren't.

20 Q Well, how?

21 A Well, because I didn't sign this, for one reason.

22 Q Well, without regard to whether or not you signed  
23 page four of Exhibit Number 41, how do you know that Ron and  
24 Pat Brasher were not at your husband's office on the 18th of  
25 June, 1996?

1           A     I have no way of proving it.

2           Q     Is there any documentary evidence that exists  
3 anywhere, ma'am, that could help you in your assertion that  
4 they were not present at your husband's office?

5           A     No.

6           JUDGE STEINBERG: Well, everybody take a look at  
7 EB Exhibit Number 70. And I am showing the witness page  
8 four.

9                 Would you look at that and tell me what that is?

10          THE WITNESS: This is our appointment book.

11          JUDGE STEINBERG: For what month? What week and  
12 what day?

13          THE WITNESS: June 18.

14          JUDGE STEINBERG: And what year?

15          THE WITNESS: Nineteen-ninety-six.

16          JUDGE STEINBERG: Do you see anything written --

17          THE WITNESS: No.

18          JUDGE STEINBERG: -- in the column for June 18?

19          THE WITNESS: No.

20          JUDGE STEINBERG: Now, you can ask the follow-up,  
21 which I am sure you will. But I mean, when you say is there  
22 no documentation, I just cannot let it stand that way.

23          MS. LANCASTER: At least until I had a chance to  
24 talk about it.

25          JUDGE STEINBERG: Well, we are talking about it

1 now, so we may as well do it now.

2 BY MR. ROMNEY:

3 Q Exhibit Number 70, do you have that in front of  
4 you, ma'am? Page four?

5 A Seventy?

6 MS. LANCASTER: It is not in that notebook.

7 JUDGE STEINBERG: I was showing the witness my  
8 copy, which has no writing on it. And anybody is welcome to  
9 come and look at it.

10 BY MR. ROMNEY:

11 Q Do you see that, ma'am?

12 A Yes.

13 Q Let me direct you to the entry for 9 o'clock on  
14 Wednesday, the 19th. Do you see that?

15 A Yes.

16 Q Does that appear to be some erasures there?

17 A No.

18 Q Does that appear to have some --

19 A Oh, 9 o'clock?

20 Q Yes, ma'am.

21 A Yes.

22 Q There does appear to be something erased there,  
23 is that correct?

24 A Yes.

25 Q And on 11 o'clock entry on the 18th?

1 A Yes.

2 Q That appears to have some sort of an erasure,  
3 does it not, as well?

4 A On the 18th?

5 Q Yes, ma'am.

6 A At 9 o'clock?

7 JUDGE STEINBERG: No, at 11.

8 BY MR. ROMNEY:

9 Q I am sorry, 11 o'clock.

10 A Yes, but it's Pruitt.

11 Q But it has been erased, is that right?

12 A It's been erased, but I can read it.

13 Q Are there other erasures, ma'am, down on the  
14 18th?

15 A No.

16 Q Down by 2:30?

17 A No.

18 MR. McVEIGH: Your Honor --

19 BY MR. ROMNEY:

20 Q There is a line there, is there not?

21 MR. McVEIGH: Your Honor, if we are going to  
22 continue this line of questioning, can we get the original  
23 document in front of the witness?

24 JUDGE STEINBERG: Do we have it?

25 MS. LANCASTER: Yes, sir.

1 MR. McVEIGH: Right here.

2 MS. LANCASTER: In the copies, the writing kind  
3 of went through. In one of the ones it is not an erasure,  
4 and we just want to --

5 JUDGE STEINBERG: Why don't you show it to Mr.  
6 Romney, please?

7 MS. LANCASTER: Sure.

8 JUDGE STEINBERG: Maybe you can stipulate as to  
9 what it shows or does not show.

10 BY MR. ROMNEY:

11 Q Mrs. Sumpter, your husband's Daytimer book does  
12 not show every single time that the Brashers came to your  
13 office, does it?

14 A At that time, if people came in, I wrote it in.

15 Q Every time the Brashers came there, you would  
16 have written it in the book?

17 A Well, every time people came in, I tried to write  
18 it in.

19 Q There is not one single instance, in all the  
20 years you have been doing business with the Brashers, where  
21 you have failed to write it in.

22 A I'm sure that there's an instance that I didn't  
23 write it in. I'm sure.

24 Q I will refer you to the entry for the 21st of  
25 June, page five of Exhibit Number 70. Do you see that,



- 1 ma'am?
- 2 A Yes.
- 3 Q Whose handwriting is that?
- 4 A Which part?
- 5 Q The one that says, I think that is "out?"
- 6 A That's Jim's.
- 7 Q That is Jim's?
- 8 A Yes.
- 9 Q Well, who keeps this particular book, ma'am, Jim
- 10 or you?
- 11 A We both do.
- 12 Q Do you have more than one book?
- 13 A No.
- 14 Q Now, it is not your habit to record in this book
- 15 all the activities that take place in the office, is it?
- 16 A What do you mean?
- 17 Q I mean, you do not make an entry in this book for
- 18 everything that Jim or you do during the day, do you?
- 19 A No.
- 20 Q And so just because there is a blank space in the
- 21 book does not mean that you were out of the office.
- 22 A No.
- 23 Q But it does not necessarily mean that you were in
- 24 the office, does it?
- 25 A No. The only time we are out, it will be marked

1 out.

2 Q I am sorry, would you repeat that?

3 A If we are out of the office, it will be marked  
4 out.

5 Q In every single instance?

6 A Yes.

7 Q What do you mean by being out? Just not in the  
8 office?

9 A Not in the office. May I say --

10 Q Well, you did not mark out Saturdays, did you?

11 A No.

12 JUDGE STEINBERG: The witness asked, "May I say  
13 something." And it is up to Mr. Romney to --

14 BY MR. ROMNEY:

15 Q You did not mark out Saturdays, did you?

16 A No.

17 Q You did not mark out Sundays.

18 A No.

19 Q And you clearly were not in the office on those  
20 days, right?

21 A Well, I might not have been, but that's not  
22 saying he wouldn't have been.

23 Q But if he was not in the office on a Saturday,  
24 you are not going to mark it as out, are you?

25 A No.

1           Q     Let me refer your attention to page seven of  
2 Exhibit Number 70, for check number 8805.

3           A     Yes.

4           Q     You went to church every Wednesday night, right?

5           A     That's correct.

6           Q     And there is more than one occasion when you made  
7 a donation to the church on a Wednesday night?

8           A     I'm sure there is.

9           Q     So just the fact that you made a donation on  
10 Wednesday night to the church does not prove, does it, that  
11 you were not there at the next Sunday?

12          A     Well, more than likely it does. Because I would  
13 have probably given it on Sunday.

14          Q     You never wrote a check on Wednesday and hung  
15 onto it until Sunday to give to the preacher?

16          A     No.

17          Q     What church did you go to?

18          A     Meadow Creek.

19          Q     What kind of church is that?

20          A     A Baptist.

21          Q     Do Ron and Patsy go to church?

22          A     Not to my knowledge.

23          Q     Do you consider them somehow to be religiously  
24 deficient for not going to church?

25          A     No.